

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE: §
§
GRCDALLASHOMES, LLC, § CASE NO. 19-41186
§ (Chapter 11)
DEBTOR §

PLAN AGENT’S MOTION FOR AUTHORITY TO PAY ADMINISTRATIVE CLAIM
TO THE HONORABLE BRENDA T. RHOADES, U. S. BANKRUPTCY JUDGE:

Christopher J. Moser, Plan Agent (the “*Plan Agent*”) files his Motion for Authority to Pay Administrative Claims (“*Motion*”) as follows:

1. On May 3, 2019, GRCDALLASHOMES LLC (“Debtor”) filed a voluntary petition under Chapter 11 of the Bankruptcy Code.
2. On October 29, 2019, the Debtor confirmed its Second Amended Plan of Reorganization (“*Plan*”). Article III, 3.02 of the Plan requires the Debtor to pay allowed administrative claims in full as soon as practical.
3. On March 25, 2021, the Plan Agent filed his Motion for Authority to Make Certain Payments and to Make an Interim Distribution to Unsecured Creditors (“*Motion for Interim Distribution*”).
4. On April 6, 2021, this Court entered its Order Granting John Caldwell’s Motion for Allowance of Fees and Expenses Pursuant to 11 U.S.C. §503(b)(4) wherein John Caldwell was granted an allowed administrative expense claim in the amount of \$20,846.90 (the “*Administrative Claim*”).
5. On June 3, 2021, this Court held a contested hearing on the Motion for Interim Distribution. Following the hearing, the Court authorized the Plan Agent to disburse approximately \$320,000.00 of the \$353,000.00 of funds in the bankruptcy estate to pay various administrative expenses and to make an interim distribution to unsecured creditors.

6. The Administrative Claim of Mr. Caldwell was not included in the specific administrative expenses that the Court authorized the Plan Agent to pay since the Administrative Claim did not become an allowed claim until **after** the Plan Agent filed his Motion for Interim Distribution.

7. Mr. Caldwell's Administrative Claim is the same level of priority as the other administrative expenses that the Court authorized the Plan Agent to pay.

8. The Plan Agent believes that the Debtor is required to pay the Administrative Claim pursuant to the terms of the Plan. The Debtor disagrees.

9. The Plan Agent seeks authorization from this Court to pay the Administrative Claim.

WHEREFORE, PREMISES CONSIDERED, the Plan Agent prays that the Court grant the Motion and that the Plan Agent be granted such other and further relief, at law or in equity, to which he may be justly entitled.

Respectfully submitted,

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By: /s/ Christopher J. Moser
Christopher J. Moser

PLAN AGENT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion has been served by electronic transmission via the CM/ECF system upon all parties registered to receive electronic notice in this bankruptcy case, and/or regular U.S. mail, postage prepaid, on this 7th day of June, 2021 upon the parties listed on the attached service matrix.

/s/ Christopher J. Moser